

United States Bankruptcy Court
Eastern District of Michigan

In re: Michael Orta &
Autumn Anderson

Debtor.

Case No. 13-59870
Judge: McIvor

NOTICE OF PROPOSED POST-CONFIRMATION PLAN MODIFICATION AND NOTICE
OF DEADLINE TO OBJECT TO CHAPTER 13 PLAN MODIFICATION

Debtor(s), Michael Orta, have filed papers with the Court to Modify their confirmed Chapter 13 Plan.

An Order Confirming Plan had been entered. The Debtors propose to modify the confirmed plan pursuant to LBR 3015-2(b) as follows:

- (1) Plan payments in the amount of \$3936 are excused for the months of June and July 2014.

In all other respects, the Order Confirming Plan referred to above shall remain in full force and effect.

That the reasons for filing said proposed Post Confirmation Plan Modification are as follows:

- a) Debtors are unable to make plan payments for the months of June and July 2014 because their young daughter suffered a heart attack and is in need of medical care.
- b) Debtor husband will be off work under the Family Medical Leave Act in order to care for his daughter and will not have sufficient income during June and July 2014 in order to make the plan payment and meet the family's living expenses.
- c) To the extent that the plan modification is granted and the Trustee has received funds via wage deduction during the months of June and July 2014, the Trustee shall hold said funds from disbursement and refund said funds to the debtor.

That this plan modification will not affect any class of creditors EXCEPT:

- a) All creditors in the plan are affected.

Attached as Exhibit (1) is a Proposed Order Modifying said Plan in accordance with this Proposed Post-Confirmation Plan Modification. Attached as Exhibit (2) is a copy of Plan Calc I. Attached as Exhibit (3) is a copy of the liquidation analysis and attached as Exhibit (4) is a copy of the recently Amended Schedules I and J.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult with one.)

If you do not want the Court to allow the Proposed Post-Confirmation Plan Modification, or if you want the Court to consider your views on the Proposed Post-Confirmation Plan Modification, within twenty one (21) days, you or your attorney must

1. File with the Court a written response or an answer, explaining your position at:

United States Bankruptcy Court
211 W. Fort Street, Suite 2100
Detroit, MI 48226

2. You must also mail a copy to:

Jesse R. Sweeney (P60941) Sweeney Law Offices, P.L.L.C. Attorney for Debtor 30555 Southfield, Suite 400 Southfield, MI 48076 (586) 909-8017	Chapter 13 Standing Trustee David Ruskin 26555 Evergreen Rd., Suite 1100 Southfield, MI 48076
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3. If a response or is timely filed and served, the clerk will schedule a hearing on the Amended Post-Confirmation Plan and you will be served with a notice of the date, time, and location of the hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in this Notice and may allow the modification.

Respectfully submitted,

DATE: June 18, 2014

/s/ Jesse R. Sweeney
Jesse R. Sweeney (P60941)
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ORDER GRANTING DEBTOR'S FIRST PROPOSED POST-CONFIRMATION PLAN
MODIFICATION

Upon the reading and filing of the Debtor(s) First Proposed Post-Confirmation Plan Modification and no objections having been filed to the said Notice, and a Certificate of No Response having been filed with this Court;

IT IS HEREBY ORDERED:

- (1) Plan payments in the amount of \$3936 are excused for the months of June and July 2014.
- (2) To the extent that the plan modification is granted and the Trustee has received funds via wage deduction during the months of June and July 2014, the Trustee shall hold said funds from disbursement and refund said funds to the debtor.

Exhibit A